form the impression that this Council excepting of course the Treasury Bench and excepting perhaps a few seats in the Council, this Council is manned by ordinary—without meaning anything to any member-shall I say poor House, and we are here as one Hon'ble Member pointed out not only for the days during which the Council sits. Sir, from my personal experience and I am sure it is the experience of many of the non-official members of this House, the work that devolves to each member of the Legislature is heavy and particularly when a person has to come from another State and attend to the duties that are incumbent upon him, it becomes extra heavy. Sir, the members feel that their duties do not begin nor are over coming and sitting here during those days, those months and those weeks which intervene from one sitting to another. Surely we find that we have to discharge a great many duties informally and unofficially it may be, and we are subjected to great hardships and very often to serious pecuniary loss. Well, I do not reveal the facts which come within my experience personally but I am sure the Government and public will realise that many of us have to discharge our duties if we have to discharge our duties faithfully and I emphasis the fact that these duties are very heavy and onerous, if we are not to be mere puppets sitting here but if we are to study the conditions and devise the necessary measures to redress or at least to improve the lot of the people, surely we have to do a lot and we have to apply our mind and body and we have to spent our own resources for that purpose, for the purpose of serving people. Therefore, Sir, let not anybody dub us with selfishness in this matter. It is a legitimate thing, an allowance that we ask for not for the purpose of gain and I am sure every pie that is got will be spent merely upon matters to which we attend to. There will be no gain whatsoever. Sir, with these remarks, therefore, I draw the attention of the Government to this overdue, long-felt want and to remind the Government once again that it is the universnal practice, practice almost all over the world, the practice in almost all the Parliament of the world and practice in British India.

Mr. B. V. K. Menon *(Secretary to Government):* Well, Sir, I am glad to say that the Hon'ble Members who spoke in support of the motion have, in the view of the Government, given some cogent reasons why this allowance should be given to the members elected and nominated to this Council and I can assure the House that Government will be prepared to re-examine this question once again. Why I say re-examine, is, as the House is aware, that when a similar bill was brought in this House some time back Government took an attitude of opposition. In the light of the remarks and the arguments adduced in this House to day I am glad to say on behalf or the Government that we will be prepared to re-examine this question.

Mr. K. T. Achuthan *(Ezhuvas-Mukundapuram):* Sir, in fact I am glad to express that the Government rose for the occasion and was reasonable enough to state that it will be considered most seriously and effectively. Any how since it is my duty now to press this motion not to say that I am not convinced by the arguments given by the Government but to show that we are unanimous on this matter and to strengthen the hands of the Government in carrying it into action.

Cut Motion put and carried

CUT MOTION No. 7

Franchise Committee—Appointment of

Mr. P. Sankara Menon *(Trichur-North):* The cut motion in my name reads thus:

To reduce the allotment of Rs. 18,390 for Legislative Council in Demand No. 16-1 by Re. 1. *To emphasise the urgent necessity of appointing a franchise committee.*

Sir, I do not think it is necessary at this stage for me to deal in detail the urgent necessity for the establishment of a franchise committee because it has already been adverted to, during question hour and I think it has been brought to the notice of the Government, the gross irregularities prevailed in the recent elections. Apart from that the present constituencies are mostly divided neither on the population basis nor on a geographical basis. But on what basis they are divided is a matter which is known only to the last committee which was responsible for the present division. I think most probably it may be due to the fact that the members of the last committee did not think it necessary to go about the places and visit the constituencies themselves. Otherwise those would not have been recommended by them. For instance the Anthikad Constituency which lies on the western side of the Trichur constituency comes touching

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the fringes of the northern boundary of the Trichur Town and then it comes on to the eastern side of the Trichur Town, then it proceeds further on southwards and takes in the Ollur Town. That is one of the reasons why the polling was so low during the last election. Especially in these times when there is so much of difficulty for conveyances the members find it next to an impossibility to visit the whole constituency and to meet all the voters in person. That is only one of the dire necessities which I place before this House. Another point to be considered with the change of the Franchise is the introduction of adult franchise. A third point that I urge forward is that the special constituencies may be taken away and in their place reservation may be made in the General Constituency either on population or on some other basis which ever the committee may recommend. These are the main things that strikes most, upon one who had to fight out an election. Many of the present election petitions that are pending before the Court are mainly the result of the defects of the present franchise system. I am not going into the details as the Hon'ble President in the morning gave a ruling that it would be advisable that we postpone the discussion until a decision is arrived at by the Court. I think that the following 13 cut motions are mainly based on this one question. I therefore commend this motion for the kind acceptance of the House.

Mr. Puthur Achutha Menon *(Kattur)*: Sir, I rise to support this motion tabled by my friend, Mr. Sankara Menon. In supporting this motion I have to bring to the notice of the Government that the time has come at last when the Government should without any loss of time, go into the question of this franchise; the question whether any revision in the matter of franchise is necessary, whether there is necessity for the re-delimitation of constituencies and the question, whether the system of the communal electorate prevalent now has to be changed with necessary reservations in the General Constituencies. One thing I wish to bring to the notice of this Council at this juncture. From the Diwan President's speech as well as from so many speeches made in this House, as well as from our knowledge of national and inter—national situations, we have seen that a rapid revolutionary change is going on all around us. There is a march towards progress and socialism. We should be particular that we should not lag behind in this march towards progress. There is a feeling everywhere that there is something wrong with the present system of electorate, and with the present system of Government as well. In my opinion a welcome change can be made in the Government only by a revision in the present franchise system. My sincere feeling is that the time has at last come when every common man in the street must have a right to vote, must have a right to voice his opinion in the administration of the country. If this is denied further under any pretext what I feel is there will be a real check in our progress. A country can progress if the ordinary man in the street has got a right to voice his opinion in the matter of his Government and about the social order that they can voice their opinion. One thing has to be admitted that it is through the representative that a constituency elects and sends to this Council that the voice of the ordinary man is heard here. Hence the necessity for the revision in the existing Franchise system Regarding the re-demilitation of the constituencies also my friend has said, there are many irregularities at present. From my own personal experience regarding constituencies, I can very well say that whatever may be the considerations that prevailed at the time when the last committee made its report in this matter, the time has now come for us to get into this question again. The simple proposal that I make is that a committee must be constituted and that committee must go into this question and all available enquiries must be made, evidence taken and considering the safeguards that we have to make, considering the situation of our country, considering the different interests that have to be represented, a change has to be made in all these matters and this may be done by the Government and before the next election there may be a complete revision regarding these matters. With these few words I second this motion tabled by friend Mr. Sankara Menon.

മിസ്റ്റർ പി. കെ. ഡീവർ: സർ, ഈ ഉപക്ഷേപത്തെ ഞാനും അനുകൂലിക്കുന്നു. എന്റെ പേരിലും ഇതേമാതിരിയിലുള്ള ഒരു ഉപക്ഷേപം നില്ക്കുന്നുണ്ട്. പക്ഷെ അതിൽ നിർദ്ദിഷ്ടമായ ഈ കമ്മിറ്റി പ്രായപൂർത്തിവന്ന എല്ലാ ആളുകൾക്കും വോട്ടവകാശം നല്കുന്ന കാര്യത്തെ മുൻനിർത്തി ആലോചിക്കണമെന്നാണു് ആവശ്യപ്പെട്ടിരിക്കുന്നതു്. നമ്മളുടെ ഇന്നത്തെ ഈ കൌൺസിൽ ജനങ്ങളെ പ്രതിനിധീകരിക്കുന്ന ഒന്നാണെന്നു ഈ കൌൺസിലിലെ എല്ലാ ആളുകളും അഭിമാനിക്കുന്നുണ്ട്. എന്നാൽ എനിക്കതിൽ പക്ഷാന്തരമുണ്ട്. ഇന്നു ഈ രാജ്യത്തിൽ ഏഴ് ലക്ഷം ജനങ്ങളുള്ളതിൽ ഒരു ലക്ഷത്തിൽപരം ജനങ്ങൾക്കു മാത്രമേ വോട്ടവകാശമുള്ളു. ഇന്നു വോട്ടവകാശമുള്ളവരിൽതന്നെ ഭൂരിഭാഗവും ഇന്നു വോട്ടില്ലാതുള്ളവർക്കുള്ള രാഷ്ട്രീയജ്ഞാനം സിദ്ധിച്ചിട്ടില്ലാത്തവരാണെന്നു വാസ്തവം ഇന്നു പറയേണ്ടതുണ്ട്.

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സർ, ഈ നാട്ടിലുള്ള സാമാന്യരായ സാധുജനങ്ങളെ സമീപിച്ചാൽ അറിയാം ഇന്നത്തെ ലോകസ്ഥിതി അനുസരിച്ചുള്ള രാഷ്ട്രീയവിജ്ഞാനം പണക്കാർക്കുള്ളതിനേക്കാൾ വളരെ കൂടുതലായി അവർക്കുണ്ടെന്നു്. ഇന്നത്തെ ഏറ്റവും വലിയ രാഷ്ട്രീയപ്രശ്നങ്ങളെപ്പറ്റി ശരിയായി പഠിക്കുകയും വിമർശിക്കുകയും ചെയ്യുവരുന്നവർ തൊഴിലാളികളെപ്പോലെ വേറെ അധികമില്ലെന്നു പ്രത്യേകം പറയേണ്ടതുണ്ടു്. അങ്ങിനെയുള്ളവരെ ഈ രാഷ്ട്രീയാവകാശത്തിൽനിന്നു അകറ്റി നിറുത്തിയിരിക്കുന്നതു തീച്ചയായും ആക്ഷേപാർഹമാണു്. എന്തെങ്കിലും നികുതി കൊടുക്കുന്നവർക്കു മാത്രമല്ലാതെ, രാഷ്ട്രീയമായ വിദ്യാഭ്യാസം സിദ്ധിച്ചിട്ടുള്ളവരായാലും പൗരബോധം ശരിയായി കൈവന്നിട്ടുള്ളവരായാലും വേണ്ടില്ല, മറ്റുള്ളവർക്കു ആർക്കും വോട്ടവകാശമില്ലെന്നു പറയുന്നതു ഒരിക്കലും ശരിയല്ല. പണമുള്ളവരും അതിനാൽ നികുതി കൊടുക്കുന്നവരും ആയവർക്കുമാത്രം ഈ നിയമസഭയിലേയ്ക്കു വരാനുള്ള അർഹതകളെ തിരഞ്ഞെടുക്കാനുള്ള അവകാശം ഉണ്ടെന്നു പറയുന്നതു ഈ നിയമസഭ വെറും നിക്ഷിപ്ത താല്പര്യക്കാരുടെ ഒരു സഭമാത്രമാക്കി തീർക്കുകയാണു്. ഞാൻ ആരെയെങ്കിലും ആക്ഷേപിക്കുകയല്ല. കൈവിരലിൽ എണ്ണാനുള്ള ഏതാനും ചില നിക്ഷിപ്തതാല്പര്യക്കാർക്കു പ്രത്യേക നിയോജക മണ്ഡലം അനുവദിച്ചു കൊടുത്തിട്ടുള്ള ഗവണ്മെണ്ടു് ഈ രാജ്യത്തെ വിഭവസമൃദ്ധമാക്കി, സസ്യശ്യാമള സംപൂർണ്ണമാക്കിത്തീർന്ന സാമാന്യ ജനങ്ങൾക്കു വോട്ടവകാശംകൂടി അനുവദിക്കയില്ലെന്നു പറയുന്നതു ഒരു പരിഷ്കൃത രാജ്യത്തിനു യോജിച്ചതാണെന്നു പറയാൻ നിവൃത്തി ഇല്ല. ജന്മികൾക്കും കച്ചവടക്കാർക്കും തോട്ടക്കാർക്കും പ്രത്യേക നിയോജക മണ്ഡലങ്ങൾ അനുവദിച്ചിട്ടുള്ള കൊച്ചിനിയമസഭയിലേക്കു ഈ രാജ്യത്തിലെ തൊഴിലാളികൾക്കു അവരവരുടെ താല്പര്യങ്ങളെ സംരക്ഷിക്കാൻ അവരുടെ ജനസംഖ്യക്കും പ്രാധാന്യതയ്ക്കും അർഹിച്ചു വേണ്ടിടത്തോളമുള്ള പ്രതിനിധികളെ അവരുടെ ഇഷ്ടംപോലെ തിരഞ്ഞെടുത്തയയ്ക്കാൻ പ്രത്യേക നിയോജക മണ്ഡലങ്ങൾ അനുവദിച്ചിട്ടില്ലെന്നതു വളരെ പരിതാപകരമായ ഒരവസ്ഥയാണു്. രാജ്യത്തിലെ ഭൂരിപക്ഷം ജനങ്ങൾക്കു പ്രതിനിധികളെ തിരഞ്ഞെടുത്തു അയക്കാൻ അവകാശമില്ലാത്ത ഈ നിയമസഭയെ പൊതുജന പ്രതിനിധിസഭയെന്നു പറയുന്നതു കേവലം ഒരു വിരോധാഭാസമാണു്.

അതുകൊണ്ടു് സാമാന്യ ജനങ്ങൾക്കു നിയന്ത്രിക്കുവാൻ കഴിയുന്നവിധത്തിൽ ഈ രാജ്യത്തിലെ ഭരണാധികാരത്തെ, അവരിലേയ്ക്കു കൈമാറ്റം ചെയ്യേണ്ടിരിക്കുന്നു. സർ, അങ്ങു ഇവിടെനിന്നു ലണ്ടനിലേയ്ക്കു മടങ്ങിച്ചെല്ലുമ്പോൾ അങ്ങു അവിടെനിന്നു പോന്നതിൽനിന്നു എത്രയോ വലിയ പരിവർത്തനങ്ങൾ അവിടെ വന്നിട്ടുള്ളതായി കാണാൻ കഴിയുമെന്നുള്ള കഥ അങ്ങു ആലോചിച്ചു നോക്കണം. അവിടെ ഇന്നു സോഷ്യലിസ്റ്റു സമ്പ്രദായത്തിലുള്ള ഒരു ഭരണപരിവർത്തനം നടന്നുവരികയാണു്. അങ്ങു അവിടെ ചെല്ലുമ്പോൾ ഇതെല്ലാം കണ്ടു അമ്പരക്കാതെയിരിക്കണമെങ്കിൽ ഇന്നിവിടെ സോഷ്യലിസ്റ്റു സമ്പ്രദായത്തിൽ അവിടത്തെ ഭരണത്തെ സാമാന്യ ജനങ്ങൾക്കു നിയന്ത്രിക്കാനുള്ള സ്വാതന്ത്ര്യമുള്ളതുപോലെ ഇവിടത്തെ ഭരണത്തെയും സാമാന്യ ജനങ്ങളുടെ നിയന്ത്രണത്തിനു വിധേയമാക്കിത്തീർക്കുക ഒരു പരിഷ്കാരത്തിനു അങ്ങു, ഇവിടത്തെ ഗവണ്മെണ്ടിനെ തയ്യാറാക്കേണ്ടിയിരിക്കുന്നു.

അതിനടുത്തകുന്ന തരത്തിലുള്ള ഒരു ഫ്രാഞ്ചൈസ് കമ്മിറ്റി വേണമെന്നാണു് ഈ ഉപക്ഷേപം ആവശ്യപ്പെടുന്നതു്. ഇതിനു മുമ്പുണ്ടായിരുന്ന ഫ്രാഞ്ചൈസ് കമ്മിറ്റിയിലെ അംഗങ്ങൾ നിക്ഷിപ്ത താല്പര്യക്കാരായിരുന്നു. അതിനാൽ അന്നു സ്ത്രീ ഫൈനൽ പാസ്സായവർക്കു മാത്രമേ വോട്ടവകാശം പാടുള്ളൂ എന്നു അവർ നിശ്ചയിച്ചു. ഇതു ചില പ്രത്യേക വർഗ്ഗക്കാരുടെ കൈവശം രാഷ്ട്രീയാധികാരം ഇരിക്കണമെന്നുള്ള ഉദ്ദേശംകൊണ്ടു മാത്രമാണു് വാസ്തവത്തിൽ സാമാന്യ ജനങ്ങൾക്കു വോട്ടവകാശം കൊടുത്താൽ ഇംഗ്ലണ്ടിലെപോലെ ഇവിടെയും രാഷ്ട്രീയാവകാശം സാമാന്യ ജനങ്ങളിലേയ്ക്കു പോകാതിരിക്കുകയില്ല. തീച്ചയായും സാമാന്യ ജനങ്ങളിലേയ്ക്കു ഈ അധികാരം വിട്ടുകൊടുക്കേണ്ടതു അത്യാവശ്യമാകയാൽ ആ മാതിരിയുള്ള എല്ലാ വ്യവസ്ഥകളും ഉൻമൊള്ളുന്നു, മഹാരാജാവു തിരുമനസ്സിലെ എല്ലാ പ്രജാവിഭാഗങ്ങൾക്കും നിയമസഭയിൽ പ്രാതിനിധ്യം ലഭിക്കത്തക്ക നിർദ്ദേശങ്ങളോടുകൂടിയ ഒരു ഫ്രാഞ്ചൈസ് കമ്മിറ്റിയെ ഉടനെ നിയമിക്കണമെന്നും അതിനുവേണ്ട നടപടികളും ഏറ്റവും വേഗത്തിൽ എടുക്കണമെന്നു അപേക്ഷിച്ചുകൊണ്ടു് ഞാൻ ഈ കട്ടമോഷനെ പിൻതാങ്ങുന്നു.

Mr. K. Balakaishna Menon *(Cheruthuruthi)*: Sir, I, on Behalf of the Nationalist Party propose to support this motion. I do not propose to, dilaete upon the reasons, because we the Nationalist and Prajamandlist with our joint efforts would carry this motion. The voice of the people is the voice of God and that is the greatest authority if you are inclined to act upon.

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Mr. B. V. K. Menon *(Secretary to Government)*: Sir, as I said in certain similar connection the other day, I repeat that this is not the time to consider about the reforms on franchise. As the House is aware the present franchise was established after a committee specially appointed for this purpose reported on that and it is likely that there might be difference of opinion as to what exactly the franchise should be like now also. This is not at any rate the opportune time to consider about this controversial matter. Any reform in this respect can be brought into effect only after three years more and I can only say that the Government will consider the advisability of constituting another committee to go into this question at the proper time. Government are convinced that this is not the time to appoint a committee for this purpose and so for the time being the Government have to oppose this cut motion.

Mr. P. Sankara Menon *(Trichur-North)*: I am sorry, I cannot agree with the Hon'ble Member for Government that this is not the opportune moment for framing a committee. According to me this is the time when it should be done and public opinion is unanimous in this matter, I do not think that there is any difference of opinion that the present system should not be abolished. I want to point out one outstanding word in my motion that is different from the other motions on the subject and that word is "to emphasise the *urgent necessity*". That was put intentionally because after some time the Government will come out with the usual excuse that there is no time enough for the working of the Committee. So I press this motion.

Cut motion put and carried

Cut Motion No. 8

Removal of restrictions on Public Meetings

Mr. P. Govinda Menon *(Ernakulam)*: Mr. President, I move that the allotment of Rs. 3,93,371 for General Adminstration in Demand No. 16 be cut by Re. 1. *The object is to demand that the present restriction regarding the holding of public meetings in Ernakulam, Mattancheri and Anthikad be immediately removed.*

Sir, The right to hold public meetings is a fundamental civil right of the citizens of any free country and any restriction upon that right is one which no self-respecting citizen can tolerate. Towards the close of 1117, this notification was enacted under Rule 56 of the Defence of India Rules under which before any public meeting is called or conducted, a licence from the Commissioner of Police has to be obtained. I had an occasion to point out before, that this is practically amounting to a ban on public meetings although technically it is only a restriction. In a country like Cochin, where the people are all educated and responsible and loyal, where representative Government at least with respect to 7 or 8 Departments are supposed to exist under a popular Minister, to deny the right of popular assembly and discussion is to deny the very foundations upon which Representative Government can exist. My argument or my request that this restriction may be removed now is not on the ground that the reasons for the restriction have ceased to exist. I maintain that reasons never existed for the imposition of this restriction. Even today in the neighbouring Provinces and States, there is no restriction regarding the conduct of public meetings.

Mr. B. V. K. Menon *(Secretary to Government)*: In Bombay and Madras, there are some restrictions.

Rao Sahib K. Ayyappan *(Kanayannur-Ezhuvas)*: In British Cochin?

Mr. B. V. K. Menon *(Secretary to Government)*: I said only Bombay and Madras.

Mr. P. Govinda Menon *(Ernakulam)*: In the notification published in the last Gazette the restriction in all places have been relaxed. I am not unaware of that. Why this restriction should continue to exist in these three place, I fail to understand. I know, the Government thinks that the existence of the Port here is a reason why no public meeting should be allowed to be conducted here without a licence from the Police. Sir, I wish to disagree, I disagree with the reasons given by the Government. And why under the Defence of India Rules the right to conduct public meeting should be restricted, I absolutely fail to understand. Is it against the interest of the defence of India that the people should be allowed to speak? I fail to understand how, if the leaders of the people are allowed to speak to their people the defence of India will in any way be jeoparadised. And if seditious speeches are attempted or if the public tranquality is attempted to be distrubed, I believe, Sir, the arms of the law are both strong and long enough in order to prevent it. Seven or eight years ago this Government enacted a legislation under which the powers and the rights of the press were restricted. A license was absolutely essential before any person could conduct a journal. We have seen how that restriction of a fundamental civil liberty has lead to the deterioration of journalism in this State, and now the freedom of speech

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